

REMARKS

Claims 1-16 and 20 are pending and stand rejected. The independent claims are mobile claim 1, cover claim 16, and mobile claim 20. The Office Action maintains that these claims are obvious under 35 U.S.C. 103(a) from *Halkosaari* (U.S. Patent Application No. 20020193136) in view of *Hsu* (U.S. Application No. 20030083094).

Applicant respectfully emphasizes that neither *Halkosaari* nor *Hsu* discloses or suggests certain critical features of present claim 1. In particular, they do not suggest “a flexible cover overlying, without an intermediate rigid cover, ... the engine assembly” as recited in present claim 1.

The Office Action asserts that *Halkosaari* discloses at paragraph 2 a cover, without an intermediate rigid cover, overlying the engine assembly. The Office Action also asserts that *Hsu* discloses at paragraphs 7-9 that the cover is flexible. Applicant respectfully disagrees that this is an obvious combination.

Regarding *Hsu*, that reference does not disclose or teach that the skin 2 can function as the enclosure 1 on its own, i.e. without the plastic film layer 3 and the base resin layer 4. *Hsu* actually teaches away from such a thing, because *Hsu* discloses that an enclosure always comprises all of the following: the skin 2, the plastic film layer 3, and the base resin layer 4, and that the skin must be heat pressed with the plastic film layer 3 (see abstract). Consequently, a person skilled in the art would not consider taking only the skin 2 in *Hsu* and using it for the housing 8 in *Halkosaari*, because *Hsu* does not teach that the skin may be used for the enclosure on its own.

Additionally, it would not be obvious to adapt the teaching of *Halkosaari* to include a flexible cover, since *Halkosaari* teaches that the housing 8 should be “stiffer” as compared to other prior art housings, so that the seal 42 may be held together with as few fasteners as possible (see the end of paragraph 16). Thus, *Halkosaari* teaches away from a non-stiff housing. Consequently, a person skilled in the art would not adapt *Halkosaari* to include a flexible cover because it would result in the seal 42 of *Halkosaari* becoming less waterproof (which is contrary to the object of *Halkosaari* - see the end of paragraph 4) and would require a greater number of fasteners.

As the Supreme Court recently reiterated in *KSR International v. Teleflex*, 127 S.Ct.1727 (2007), "when the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be nonobvious." Applicant respectfully submits that that is the case here with regard to all three independent claims, for the reasons explained in the context of claim 1.

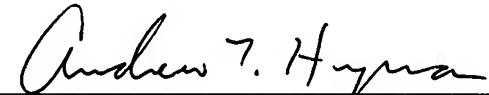
CONCLUSION

Applicants respectfully submit that the claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the final Office Action being inapplicable, retraction thereof is requested, and early passage of the pending claims to issue is earnestly solicited.

Applicants would appreciate if the Examiner would please contact Applicants' attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Respectfully submitted,

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